

**CITY OF KUNA  
REGULAR PLANNING & ZONING COMMISSION**

**MEETING MINUTES  
Tuesday, August 27, 2013**

**NOTE:** *These minutes are an unofficial record of this Planning & Zoning meeting until reviewed, corrected (if deemed appropriate), and formally approved by the Kuna Planning & Zoning Commission at a subsequent Planning & Zoning meeting.*

PZ COMMISSION MEMBER	PRESENT	CITY STAFF PRESENT:	PRESENT
Chairman Lee Young	x	Wendy Howell, Planning Director	x
Vice-Chairman Stephanie Wierschem	x	Troy Behunin, Planner II	x
Commissioner Dana Hennis	x	Travis Jeffers, Planning Technician	x
Commissioner Cathy Gealy	x		
Commissioner Mike Bundy	Absent		

**6:00 P.M. –COMMISSION MEETING & PUBLIC HEARING**

**Call to Order and Roll Call**

Chairman Young called the meeting to order at 6:01 p.m.

**1. CONSENT AGENDA**

- A. Meeting Minutes – July 9, 2013
- B. Meeting Minutes – August 13, 2013

*Commissioner Gealy motioned to approve consent agenda; Commissioner Hennis seconds, all aye and motioned carried 4-0.*

*Commissioner Gealy was not present at the July 9<sup>th</sup>, 2013 meeting.*

**2. OLD BUSINESS:**

None

**3. PUBLIC HEARING**

- a) **13-01-AN, 13-01-DA, 13-01-ZC, 13-01-S and 13-04-DRC; Merlin Point Subdivision**-Requests for Annexation, a Zone Change, Development Agreement and Preliminary Plat for approx. 52 acres over 2 parcels, into the City of Kuna, from Steve Arnold (A Team Consultants), requesting C-1 Zoning for commercial and residential uses on site. The site is located at 1380 E. Kuna Road, Kuna, ID. (APN#'s: R0645254601 & S1324449005).

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Senior Planner, Troy Behunin at 763 W. Avalon St. in Kuna gave a brief overview of the Merlin Point Subdivision project. The applicant is requesting Annexation, Zone Change, Development Agreement, Design Review for landscaping and Preliminary Plat for approximately 52 acres over two parcels. The property is contiguous to the city limits of Kuna and therefore eligible for Annexation.

*Commissioner Gealy moves to add 13-04-DRC for landscaping to the August 27<sup>th</sup>, 2013 agenda; Commissioner Hennis 2nds, all aye and motion carried 4-0.*

The applicant is TFI headed by Tom Nicholson. The representative is Steve Arnold with A-Team Consultants who is present tonight to discuss the proposal. All of the required procedural items have been satisfied by the applicant. The applicant did hold the neighborhood meeting, which included invitation to property owners within 300' of the property. The property was posted properly within the appropriate time frame. The reason for the delay/continuance regarding this hearing was due to staff waiting on ACHD's final comments/report.

The applicant is proposing to put in Commercial and High Density Residential, which are allowed uses in a C-1 zone. They are proposing to put in townhomes, tri-plexes and or patio homes. Some of the Commercial lot lines may be adjusted to accommodate future tenants.

This project is within the Highway Overlay District which extends West and North of Kuna Road. One of the requirements is that the project includes a 660' frontage road. There is also a requirement for a 10' sidewalk buffer along HWY-69. One of the concerns is that Merlin Avenue is too long and does not comply with the Fire Departments requirements for a turnaround. Staff also believes that the site could be served with two full accesses instead of three, which currently includes the entrance at the curve. Staff believes that there are safety concerns with adding a signal there. The City Engineer, Gordon Law concurred with staff's recommendation and concerns as further described in his report.

#### *ACHD Staff Report clarifications:*

Page 11, Section D "Site Specific Conditions of Approval" #9. Planner Behunin pointed out that ACHD is simply pinpointing the recommended locations for roads and driveway locations. Sailor Road will be a public road.

Staff understands that the applicant is accepting of conditions as set forth in the staff report and including adding bike paths along the teed lateral as an amenity for the community.

#### **Questions for Staff:**

Commissioner Gealy asked about the specified 5 driveways as noted in the ACHD report. P/Behunin explained that the street design of the development will remain unchanged even if the interior lot lines change because of future tenants needs. The entryway points into the lots are not what ACHD is defining in their report.

C/Hennis asked if the "Swoop" street is not a public road. Troy confirmed that it is not. It is a private lane.

C/Gealy asked where Highway 69 ends. Staff explained that it ends at Orchard Street.

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C/Gealy asked if the 10' sidewalk is within 30' buffer. Staff confirmed that yes the sidewalk is within the buffer.

Planner Behunin explained that the City Engineer recommended that a sewer study be performed on the site in order to determine where the sewer should come from and where it should go to. Parts of this site fall within two sewer sheds. One is to the South Plant and one is to the North Plant. The closest points of connection to this site are at capacity or unknown at this point. The applicant was accepting of the sewer study as outlined in the staff report.

VC/Wierschem asked if the Neighborhood Certification was expired. Staff confirmed that the 6 month time frame was still valid because the public hearing was scheduled during the required timeframe.

*No further questions for staff.*

Steve Arnold with A-Team Land Consultants located at 1785 Whisper Cove in Boise is the representative on behalf of the applicant. The applicant owns all four corners of land along Highway 69. The applicant is starting at this corner because it is believed that there is adequate sewer capacity in the existing system. The applicants engineer feels the capacity is there for at least Phase 1 of the development. The plat shows more commercial lots than the developer would like to see if they can secure some larger anchor tenants for the site. The current plan allows some flexibility to develop. The overall development including the improved landscaping and commercial uses would help create an improved entry into Kuna, which is a main goal for this project. The applicant would like to incorporate a "Welcome to Kuna" sign within this project.

The applicant wants to add a pedestrian pathway along the teed lateral regardless of its final location. Steve believes that pathways are one of the most used amenities within communities and they are very supportive in contributing to Kuna's future pathway system. They have four deeded access points for this site as previously negotiated with Idaho Transportation Department (ITD). The access points meet ITDs and ACHDs policies. A traffic study was performed and all the roadways proposed performed at adequate levels of service. The driveway whether signaled or not provides improved access to the Sailor and Ensolorado.

A study is currently underway by ACHD to consider an overpass connecting State Highway 69 to the south. However, Steve believes that plan is unlikely to happen and does not believe that ACHD will take over ITD's roadway. If it does happen in the future, the applicant is okay with removing the center entry point.

The sewer study and utilities will be studied further to determine the best possible options for the site. The teed lateral will likely be piped across the drive aisle and across Ensolorado. Lot 17 and 18 will be combined into one lot in response to these changes. The developer will include a blanket easement over the commercial sites to allow cross access. There will be separate CC&Rs for the commercial uses and the residential uses. Curb and gutter will be added along HWY-69 to meet current land uses to the West. The Merlin turnaround will be compliant with Kuna Fire's requirements.

The only difference of opinion that the representative/developer has with the staff report is that ACHD will step up and modify that intersection in the near future and therefore eliminate the necessity for the entry point in the middle of the development. If they are wrong, the applicant, at their expense will get rid of the intersection and entry point. They feel strongly that this intersection warrants a traffic signal.

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*Questions for Applicant:*

C/Young asked for clarification that the only item within the staff report that they're indifferent with is the main entrance on the curve that aligns with Kuna Road. Steve confirmed.

VC/Wierschem asked why not put in the traffic signal now. Steve explained that they want to do the traffic signal sooner than later, but ACHD does not want to do it at this time given possible changes in the future. However, Steve does not believe that ACHD will take over ITD's roads. He believes there will eventually be a traffic signal and we need to plan for it.

*No further questions for applicant.*

Planner Behunin clarified the "overlay district includes the area within one-quarter mile (one thousand three hundred twenty (1,320) feet) east and west aligning with the centerline of State Highway 69, also known as the Meridian Road and its future southern alignments. The portion of State Highway 69 that curves and becomes East Kuna Road is excluded from the overlay district beyond a distance of one thousand three hundred twenty (1,320) feet west of the north/south aligning township section line underlying State Highway 69. The zoning overlay district is expanded to include the area within one-quarter mile (one thousand three hundred twenty (1,320) feet) north and south aligning with the centerline of Kuna Mora Road and its future alignments. The overlay district only applies within the Kuna City limits."

*Public Testimony opened at 7:00pm*

*Neutral*

Dave Szplett, 970 Ashwood Ct. is the Development Services Manager for Idaho Transportation Department. Overall, ITD has very little concern with this application. They did not ask for the traffic study. ITD purchased the Right-of-Way (ROW) from Tom Nicholson in 1996 and at that time they deeded 4 access points to Mr. Nicholson without restriction. The roadway now has enough ROW width for 6 lanes, but only need 4. There is plenty of capacity available. ITD does not feel that this site will restrict their plans in the future. The 3 main access points all meet ITD's separation policies. ITD has no plans to extend their roadway to the South at this time. In order for that to happen ACHD would have to take over the roadway. ITD wants their roadway to be the primary route. They prefer to have the signalized intersection at Kuna Road. They feel it's likely to happen within the next 5 years.

**Questions:**

C/Young asked for clarification that the signal isn't warranted for another 20-50 years. Dave responded and said that the overpass/highway extension plan could take 20-50 years, not the signal. The signal could be needed as soon as 5 years.

C/Gealy asked that if and when the signal goes in, do you expect the curve to remain or will it become a "T" intersection. Dave explained that the current plan includes a "T" intersection with their three roads. ITD agrees with the City of Kuna that the speed limit should be lowered from 45 to 35mph at the curve.

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*No further questions.*

*Neutral*

Roberta Sailor at 1185 E. Kuna Road wants the new development including landscaping and structures to promote an attractive entrance into Kuna and that it respects the overall goals of the Comprehensive Plan. Roberta suggested a "Birds of Prey" theme throughout the development and possibly extending that theme throughout the City of Kuna to create cohesion. She asked that the Planning and Zoning Commission and the City of Kuna keep these overall goals in mind when promoting colors, native plants and symbols/art. Roberta suggested that we could plan for an entrance at the center of the development and restrict access until a signal is installed.

*No further questions for Roberta.*

*Applicant Rebuttal:*

Steve Arnold with A-Team Land Consultant agrees with Roberta that we should create a main attractive, cohesive entrance into Kuna. That could include moving the "Welcome to Kuna" sign near the new development.

**Questions:**

C/Young asked if the pathways would connect with the Tomorrow Subdivision to the North. Steve explained that yes they would like to connect to it and add another pathway over lot 17.

*Public testimony closed at 7:24pm*

**Planning and Zoning Commission Discussion:**

C/Young is not completely in favor of adding a signal at the curve as well as the proposed entry point in the middle because of the possible safety issues it could create.

C/Hennis liked the idea of planning the entry point now, but restricting access until the signal is put in. Perhaps the applicant could work with staff to create an attractive barrier option preventing ingress/egress until the signal is warranted.

Steve Arnold would like to build up the entryway and possibly putting up Jersey Barriers in the meantime. He agrees that the signal needs to be put in before access is granted. That would be the safest option.

*Commissioner Gealy motions to table 13-04-DR to the September 10, 2013 Planning and Zoning meeting; Commissioner Hennis seconds, all aye and motion carried 4-0.*

*Commissioner Hennis motioned to approve **13-01-AN, 13-01-DA, 13-01-ZC and 13-01-S; Merlin Point Subdivision**-Requests for Annexation, a Zone Change, Development Agreement and Preliminary Plat with the Conditions of Approval as stated in the Staff report and with the following modifications: remove item #18,*



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*limit access at the curve until the signal goes in and that the developer work with the Kuna Fire Department on the Merlin "turnaround"; Commissioner Hennis seconds, all aye and motion carried 4-0.*

**3. DEPARTMENT REPORTS**

1. New Rezone application in the works for Boise Project Board of Control
2. New Bike Committee Formed
3. Joint meeting next week (9/3/13) at 7:00pm
4. Community High Five Grant
  - We are a finalist for a potential \$300,000 grant to help facilitate our youth programs and hopefully contribute additional funds for future development. The funds go directly to helping our Kuna kids. We are looking at a potential YMCA/Boys and Girls Club facility which may include a pool for our youth.
5. Building Permit Totals for August 2013:
  - **31 Total Permits**
  - 11 New Residential

**4. CHAIRMAN / COMMISSIONER DISCUSSION**

Commissioner Gealy wanted to praise Roberta Sailor for reminding the Planning and Zoning Commission and City Staff of their role and the importance of creating cohesive projects throughout the City including an overall theme.

**5. ADJOURNMENT**

- *Commissioner Gealy motions to adjourn at 7:55 PM; Commissioner Hennis seconds, all aye and motion carried 4-0.*

ATTEST:

  
Travis Jeffers, Planning Technician  
Kuna Planning and Zoning Department

  
Lee Young, Chairman  
Kuna Planning and Zoning Commission